

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2181 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

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R.D.VYAS DRILLER(DRILLING)

Versus

OIL AND NATURAL GAS COMMISSION

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Appearance:

M/S NJ MEHTA ASSO. for Petitioners  
MR AJAY R MEHTA for Respondent Nos. 1 to 3  
RULE SERVED for Respondent No. 4, 5

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CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 29/07/1999

ORAL JUDGEMENT

In this petition under Article 226 of the Constitution, the petitioners prayed for a writ of mandamus to direct the respondent-ONGC to treat the petitioners as promoted to the post of Driller (Drilling) with effect from the date when their immediate juniors in the cadre of Assistant Drillers (Drilling) - who were degree holder Assistant Drillers (Drilling) - were

promoted to the post of Driller (Drilling) and for consequential benefits. The petitioners also prayed for the consequential seniority and modifications to the revised provisional seniority list dated 31.12.1985 (Annexure "D" to the petition).

2. At the hearing of this petition, Mr Ajay Mehta, learned counsel for respondent Nos. 1 to 3 states that during pendency of the petition the petitioners have been promoted to the post of Driller (Drilling) which post is now redesignated as Assistant Executive Engineer (Drilling) with effect from 7.7.1980 as prayed for by the petitioners in the present petition. Mr Mehta further stated that thereafter the petitioners have also been promoted to still higher posts on that basis.

3. In view of the above statement, it appears that the petitioners' grievance has been redressed. Therefore, nothing survives in this petition. The petition has accordingly become infructuous and is dismissed as infructuous.

Rule is discharged with no order as to costs.

July 29, 1999 (M.S. Shah, J.)

sundar/-